

Harvard College Library

Sept. 13 1923

Mr ~~Thomas~~ *Dillon's*

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A N S W E R

TO THE

C A S E

OF

Mr. *Richard Ferrall*.

CONSCIOUS of my Misconduct towards the Publick, I am content to bear in Silence the Shame and Confusion that attend it; nor do I think it becoming my Circumstances to attempt to contradict the different Rumours spread abroad to my Prejudice. My Creditors are deprived by me of their Property, and have a Right to complain, more especially until, by a due Course of Enquiry, the Cause of their Loss and my Disgrace is found to be owing to mistaken Conduct, and not to any Intention of injuring them.

The Publication of Mr. *Ferrall's* Case, which was industriously concealed from me, and

and dispersed after I had been sworn to my Examination, puts me under the disagreeable Necessity of vindicating myself as to Him; which I shall endeavour to do with as much Tenderness as is possible. I would willingly pass over the Circumstance of Timing this Blow; when I was overwhelmed with Awe and Confusion, and my Mind agitated by too many Passions, to bear the Addition of such an unexpected Shock: But, happily for me, my Examination was put off; had it gone on, what Countenance must I have met from Gentlemen, who without this additional Charge, were before too justly prejudiced against me?

I shall not deny but Mr. *Ferrall* quotes Facts, but there may be a Suppression of Circumstances, by which the Uninformed Reader may be misled.

Happy indeed would it have been for Him, for others and for me, if he had been the Boy he paints himself at the Time he joined me in Partnership: I should not, had that been the Case, have preferred him to my eldest Brother *Robert Dillon*, a Man who by his Understanding and Experience, not to mention his Fortune, would have been of Use and a Support to me in the Conduct of my Business. How far Mr. *Ferrall* was from appearing in the Light of Simplicity and Ignorance he now insinuates, I appeal to all who then knew him, particularly in my House, and the Transactions of it. His Age could not be a Secret, nor was it ever attempted to be made one by me. Both his Mother and He assured me that he was of Age to dispose of his personal Fortune,
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of which I was then weak enough not to doubt, and thought it an additional Security to the Public; and those who knew him and dealt with us were I believe of the same Opinion.

I admit that I was named Executor by his Father's Will, but it is well known, I never administer'd or meddled in the Execution of it, his Mother having taken upon her, the sole Conduct of all her Children and their Fortunes. Tho' the original Article, he publishes, is in my Hand-writing, the Counterpart, which has been for some Days lodged in the Honourable House of Commons, is all in his, and witnessed by his Mother, who negotiated this Agreement. I refer to it, whether it contains any thing captious or insnaring.

The Advantages he proposed to himself were indeed very flattering, and would still be very pleasing, if my Affairs had continued prosperous as they then evidently were, especially as I engaged myself by a Letter to his Mother, on or about the first of *January* 1748-9, that at the Expiration of the two Years, he should have One-fourth Interest in the Profits of the whole Business, provided he put into the Bank a suitable Fund.

The Difficulty of settling my Books, from the continual Hurry I was in, and bad Service of the Person employed for that Purpose, was the only Reason why new Articles were not entered into, on the Expiration of the First. After his Marriage I must presume he did not chuse to put in a Fund, and for that Reason preferred an annual Salary. As to my Part in his Marriage or Settlement, he knows very well, that I neither proposed or advised it,
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tho' I approved of it, and was only made use of in writing Letters or speaking what was dictated to me by his Mother, or by him; and I then really thought, that as a Banker, he could not make any Settlement, to barr his Creditors: But as this is Matter of Law, I don't pretend to judge. The Smallness of the Sum he received from me, he does me Justice in saying he named it himself, and therefore has no Room to complain.

As to the Defects in the Letter of Attorney I left him, no body will, I believe, imagine that I could or did intend to limit his Powers in my Absence. I own that very soon after my Return from *England*, he did declare to me that he was very desirous to quit Business, and retire to the Country: I told him, I did not mean to tie him down longer than he liked it, or the Nature of the extensive Engagements of the House, would admit: but at the same Time I attributed his Disgust to the Uneasiness he had felt in my Absence, and judged that so soon as he saw Things easy again, he would change his Mind, which I was confirmed in by his Silence to me; but upon his mentioning it again, and seeming more earnest than before, I did write to my eldest Brother *Robert Dillon*, and received an Answer, something to the same Purpose he mentions.

The Letter he writ to me in *January 1754* I did receive, but did not think he expected an Answer to it, as I had assured him not long before, that I was intent upon complying, as soon as possible, with what he desired, and I only considered this Letter, as I believe he intended it, as a Notice in Writing. As to his
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Manner of introducing his Part and seeming Ignorance of the unhappy Transactions with *Stephen Dillon*, of *London*; I shall confine myself to say barely what is necessary for my own Justification, as far as it relates to Mr. *Ferrall*, happy should I be, could I as easily justify my Conduct in it, to the Publick.

First as to the Mystery of the Room, if such there was, for I do not remember it, 'tis very plain, it was not intended to exclude him, because he was called upon, and immediately informed of the Occasion of the Meeting of Friends equally attached to us both, and the Letters were offered him to read: Was there any Want of Candour or Openess in this? If he did not chuse to read them, is it not most probable, that the Hurry and Agitation he was in, was the true Cause of it? Since he cannot deny, but he heard their Contents fully discussed before him, and not only read every Letter I received after, but perused and assisted me in the writing of every one I writ upon this unhappy Occasion. Why does he not tell, that he had the Misfortune of negotiating almost every Bill remitted to support *Stephen Dillon*, that was taken for us, in the common Course on Change, in the Month of *August* and until *January* following: that he joined me in signing a Letter of Attorney to *Michael Dillon*, whom we had sent to *London*, to demand and take from said *Stephen Dillon*, Money or Securities, for the large Ballance due to us by him? Why has he concealed a Fact well know to him, that in *August* 1753, *Stephen Dillon* was in Advance for us upwards of 12,000*l*. and that it was
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concluded by him and our Friends, that if *Stephen Dillon* failed we should have been obliged to stop, as well from the close Connexions between us, as he was our known Correspondent, as from our large Engagements, which together with the Difficulty of getting in the Money due to the House, induced us to believe it our Interest to support him? As to his saying, it was of no Consequence to him, whether the Houses subsisted or not; he must forget that he was engaged in the House here, and that the Fate of one was judged to depend upon the other.

The Sum of 1400l. he raised upon a private Security of his own, he might have said was done while I was absent, and only because the Power of Attorney I had left him, was defective; and if that Money remained in a Note, it was because he chose to have it so.

The Reasons why the Judgments, taken for Money lent by us, ought to be in my Name only, were obvious; since 'tis plain Mr. *Ferrall* had no Fund in the House; and as to his not being present at any Assignments made in order to raise Money, it was merely accidental, because I made no Secret of it to him, nor could there be any Reason why I should. I had then no doubt of his Discretion. Why Mr. *Ferrall* was absent at so critical a Time as he mentions, I must leave to himself to account for.

If Mr. *Ferrall* was a Boy in 1748, surely he can't say he was such in 1753, when he signed our second Article: and can any one conceive, that I could then form a Design to ruin him and my own Family in 1754, he has not
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considered that, by the Indemnity he mentions from me, he could not be ruined, until I was first undone. All my well intended Services, are by him turned into Crimes, and to move Pity (for it could answer no other End) my Conduct must be thrown into the most injurious Light.

If any thing has slipped from me tending to injure or exasperate, I sincerely retract it, and declare 'tis far from my Intention: When it is considered, that both my Understanding and Memory are impaired by Afflictions, and a Confinement of near two Years; that my Time has been very short, and that I am just now loaded with other weighty Business, I hope my Want of Correctness and other Mistakes will be indulged.